the Senator would have the ability to yield to the Senator from West Virginia, on your time again. And following that, then——

Mr. WARNER. I would like to speak on the gas issue in sequence after the Senator from West Virginia, if I may. We want to stay on the issue, I suggest, because we have a vote. Then we wish to accommodate other Senators.

Mr. MURKOWSKI. If I may, we have other speakers who want to speak on our side on the gas tax issue, so we can follow back and forth.

Mrs. HUTCHISON. If I can get an understanding, then it will be Senator VOINOVICH under Senator BYRD's time, then myself under Senator MURKOWSKI's time, then back to Senator BYRD—and Senator WARNER for however they are going to allocate their time under Senator BYRD's time allotment?

The PRESIDING OFFICER. That is my understanding.

Mr. BYRD. I always like to yield to the ladies. I was brought up the old-fashioned way. But the lady's proposal is going to automatically say she is going to be next after Mr. VOINOVICH. Is that the way she wants it done?

Mrs. HUTCHISON. It was my understanding we would go back and forth, according to the time allotments. Senator VOINOVICH is on the time of the Senator from West Virginia. I thought the sequence would be back to Senator MURKOWSKI's side after that.

If that is not correct, I will be happy to yield whatever time Senator BYRD wants on his side, and then I will control Senator MURKOWSKI's time after Senator VOINOVICH, Senator BYRD, and Senator WARNER. Is that what the Senator from West Virginia is suggesting? It is fine, as long as I know at what point our side will be able to reclaim our time.

Mr. BYRD. Any way is fine. The Senator from Alaska had a lot of time. He spoke a long time. I sat here a long time. I was glad to listen to it. Mr. VOINOVICH was here before I came. He should have his time.

Mrs. HUTCHISON. If the Senator from West Virginia wants to take all three from his side in answer to Senator MURKOWSKI, I will be happy to do that. Then I will take my time after Senator VOINOVICH, Senator BYRD, and Senator WARNER. Is that to what the Senator from West Virginia was referring?

Mr. BYRD. Very well. I thank the Senator.

The PRESIDING OFFICER. The unanimous consent request we have before us came from the Senator from Florida, and he was not mentioned in any of this.

Mr. GRAHAM. If I may modify the request, I am in the category with the Senator from Maine. We have topics we wish to discuss other than the gasoline tax. We appreciate that debate should be completed. We just want to have an order that, after the gasoline tax debate, we may introduce our legislation. We want to be included in the unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Will somebody restate the unanimous consent request, please, so we have an understanding by everybody? Will the Senator from Texas restate the unanimous consent request?

Mrs. HUTCHISON. Mr. President, I will make an attempt. I ask unanimous consent that Senator BYRD be recognized on his time to allocate, as he sees fit, time to Senator VOINOVICH, himself, and Senator WARNER, after which I will be recognized to take control of Senator MURKOWSKI's 37 minutes, after which the Senator from Florida will be recognized for his introduction of legislation.

The PRESIDING OFFICER. Is there objection?

Mrs. HUTCHISON. Mr. President, I apologize. I did not know the Senator from Maine—I made a huge mistake. I amend my unanimous consent request to suggest that Senator COLLINS follow the Senator from Florida.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

The Chair recognizes the Senator from Ohio.

GAS TAX

Mr. VOINOVICH. I thank the Chair. Mr. President, I thank Senator BYRD for yielding time.

I speak against the repeal of the 4.3-cent-a-gallon gas tax for the third time on the floor of the Senate. Although I disagree with my colleague from Alaska in regard to this matter, I do agree this debate has given us an opportunity to identify the real problem of why we have high gas prices in this country, and that is, we lack an energy policy. Our reliance on foreign oil could increase to 65 percent or more by the year 2020.

As a matter of fact, a couple of weeks ago in the Committee on Governmental Affairs, we had a representative from the Energy Department appear before the committee and I asked him: Just how reliant should we be on foreign oil? What is the number? He was unable to give a number.

I mentioned that, as a former Governor, if I had a problem, I would identify what the goal was to solve that problem and put in place strategies to achieve that goal. The fact is, we are here today because we have no energy policy in this country. That is the main issue.

The other issue is whether or not reducing the gas tax by 4.3 cents a gallon is going to make any real difference. I argue it may not bring down the price of gas at the pump. In some States, if the gas tax is reduced, their State laws provide that the state gas tax is increased to make up for the loss of the Federal gas tax. I point out that in terms of the traveling public, the motoring public, getting rid of the 4.3 cent gas tax is only going to save about $43 a year.

This is one of the factors which I think adds to the cynicism of the American public in regard to some of the things we do in the Senate. We argue this is going to make a difference, and then the people realize all we are talking about over a year's period, if they drive 15,000 miles a year, at 15 miles-per-gallon is about $43.

I have been involved in this matter as a Governor and as the former chairman of the National Governors' Association. The Governors were opposed to the 4.3-cent-a-gallon gas tax in 1993 because it was used for deficit reduction and we thought it should be used for building highways.

In 1998, when TEA–21 was negotiated, everyone agreed to put that 4.3 cents a gallon into the highway trust fund so we can use it for new construction of highways and to maintain and repair highways. It also guaranteed to many of the donor States—that is, a State that sends more money to Washington than they get back, like Ohio—that they will get at least 90.5 cents per dollar back every year. It gave us a predictable, reliable source of revenue to get the job done. We thought we had resolved this issue once and for all.

Today we have the issue before us of reducing the gas tax by 4.3 cents a gallon. Someone said: Do not worry about it because we will make up the lost funding from the surplus. I argue, if I have listened carefully to my colleagues on the floor, there are lots of other good things that they want to do with our surplus. If one looks at it from an equity point of view, the tradition in this country is, the people who use the highways pay for them. We are saying reduce their tax and make it up by hitting everybody else in the country and taking it out of the general fund, which can be used for other things that would benefit the rest of America.

I cannot buy the argument: Do not worry about it, we will make it up from the surplus.

I also point out the National Governors' Association, the National League of Cities, the U.S. Conference of Mayors, the National Association of Counties, all the major State and local organizations are opposed to repealing the 4.3-cent-a-gallon gas tax.

I do not care what the polls say, the one organization I listen to in Ohio which represents the motoring public is the American Automobile Association. This is the premier organization representing the people who drive in this country.

One would think they would be for reducing the gas tax, wouldn't they? The fact is, they are opposed to it because they know that repair and maintenance of our highways and new construction are important to the motoring public, particularly to their safety. They also realize that this country, in so many areas, has turned into a gigantic parking lot, with gridlock, bottlenecks, and hours wasted in America on the highways because our infrastructure is in such bad shape. Gasoline is being wasted sitting in these traffic jams, polluting the air, let alone the stress and strain on the drivers and their loss of time.

Today, the only good thing I can say about the fact we are debating this 4.3-cent-a-gallon gas tax reduction is the fact that it is bringing to the American people's attention that we do not have an energy policy.

As I have said over and over on this floor, gas prices are going to come down. They are going to come down because the administration is going to make sure they come down before the November election.

The real question is: Are we just going to treat it as we have in the past? Do my colleagues remember 1973 when we had the crisis and the prices went up? Are we just going to treat this like we treat a barking dog and say: Give it a bone, it'll stop barking and we will go back to doing things the way we've always done in this country? I hope not.

What we should resolve—Republicans and Democrats, Congress and the administration—is to put together a real energy policy for the United States of America before the end of this year so we can bring down our reliance on foreign oil, which is a threat not only to our nation's economy, but it is a threat to our national security.

So I urge my colleagues, please, today, on the cloture vote, please vote against cloture so that we can get on with other business. And part of that ''other business'' should be, let's put together a bipartisan energy policy.

I thank the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I yield 8 minutes to my distinguished friend, the senior Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I first thank our distinguished Senator from Ohio. When I was chairman of the Subcommittee on Transportation, he was a Governor. He brought together those Governors. He laid the foundation with the National Governors' Association; indeed, a coalition of highway administrators all over the country. He deserves a great deal of credit for the work he did as we, in this body, worked on the legislation. We could not have done it without the help of those organizations. I am so glad the Senator paid proper respect to their services.

I thank our distinguished senior Senator from West Virginia. I have now been privileged to serve with him here in my 22nd year in the Senate. No matter whether he has been the majority leader or minority leader, as a leader in his party, he has always been there taking the lead, making the tough decisions, and pointing the way.

There is an old French saying about a politician one time saying: Tell me, which way is the crowd going so I can jump in front and lead? The senior Senator knows that quote better than I. That is not our senior Senator from West Virginia. He knows which way to lead and then, indeed, the Senate, most often, and the crowd, know which way to go.

Mr. BYRD. I thank the Senator.

Mr. WARNER. But I say to my colleague, there are two separate issues today. Let us divide them.

First is the energy policy of this administration. Our distinguished colleague from Alaska has addressed that issue. Yes, it is flawed. In the words of the Secretary of Energy, they were caught napping. As a consequence, we are suffering at the gas pump. We are suffering in our economy. We are suffering in many ways for these increased prices.

I have compassion and understanding for those people. I support what Senator MURKOWSKI will bring forth as separate legislation to try to once again restore America's preeminence in its ability to develop energy sources and get the rigs out from under the brier patch of laws and regulations where they once drilled oil and gas in this country but are now rusting in stacks.

The Presiding Officer comes from a State which is known for its energy production. He knows full well of that situation.

I do not like to be in opposition to the distinguished leaders of my party, the Republican Party, but I am strongly in opposition to this question of repealing this gas tax.

I will not go back into the history, but we addressed this in the course of TEA–21. We took the funds, the general revenue, and put them into the highway trust fund. That was a commitment to the American public of those dollars so desperately needed to repair and modernize our transportation system.

I think what underlines this debate is the word ''anger.'' Yes, there is anger at the pump. That is understandable. But there is also anger behind the wheel when Americans, driving their vehicles today—whether it is for work or for pleasure, or for whatever purpose—see this cancer of the transportation system slowly eating away at their lifestyle, devouring the time they need at the job, devouring the time they need with their families, devouring the time they need for what little pleasure life provides today in terms of the burdens and commitments on the American family.

So we have a choice: Anger at the pump; anger with the highways. I believe it is most important that the institution of the Senate show a continuity of commitment to the modernization of our highways, our rails, and other transportation modes to reduce the threat to our lifestyle. That is what it is all about.

If we were to repeal this gas tax—I project that the Senate will not, but if we were to repeal it, what Senator could get up and say, with certainty, that that tax reduction will be passed down to the consumer at the gas pump? I will carefully listen to the speeches. What Senator could make that irrefutable commitment to the American public?

The free enterprise system is fraught with uncertainty. I would be willing to—I am not a betting man—wager, though, that that money would not go into the pockets of the American consumers. That will bring about anger at the gas pump far greater than any that was witnessed thus far.

There is the question of the modernization of this highway transportation system and other modes of transportation. Hundreds of thousands of people are involved, from the Governor of a State, to their highway transportation authorities, to the legislatures of the various States. These people have made commitments, passed laws, adopted budgets on the reliability of the Congress to stand behind what they put into that legislation.

I repeat that. Stability in this program is essential because these modernization programs cannot be done overnight. They cannot either pour concrete or have the designers do their work overnight. There has to be a careful, methodical sequence of the steps. Literally hundreds of thousands of people are involved all over America. They sit and listen, astonished that we are about to take away one of the underpinnings of that program.

Those legislatures, in their next session—most of them have completed their sessions for this year—would say: Wait a minute. Before we commit so many State funds in reliance on what the Federal Government might do, let's wait and see. Is the Congress going to do something else to diminish the flow of funds?

We cannot have instability in the highway modernization program. That is fundamental, absolutely fundamental.

I conclude my remarks and hope the distinguished Senator from West Virginia will address the clause in the bill referred to on page 3, which says:

> Maintenance of trust fund deposits.—In determining the amounts to be appropriated to the Highway Trust Fund under section 9503 . . . an amount equal to the reduction in revenues to the Treasury by reason of this subsection shall be treated as taxes received . . .

I just say to my good friend from West Virginia, who has examined this legislation for so many years in this body, I think this is the first of its type. The distinguished Senator, the senior Democrat on the Appropriations Committee, understands the appropriations process. I find that this provision, No. 1, is unique. I don't know of many precedents that I have seen, if any at all. And second, the subject, again, of the uncertainty of taking it with one hand from the highway trust fund, by virtue of the elimination of the tax, then giving it back with the other hand in terms of some commitment, to me, brings about uncertainty. I question how many Senators can rely on that.

I hope my distinguished colleague might look at that provision based on his many years of experience.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WARNER. I see my time is up. I see my colleague on his feet. I wonder if he might address that issue.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I have not prepared remarks in that connection, but I will take a look at that and insert the matter in the RECORD, if I am able to make a contribution.

Mr. WARNER. I thank our distinguished colleague because he has spent these many years in the appropriations process; he has studied all the budget resolutions going back these many years.

I question what the precedent is, and the degree of uncertainty as to this body being able to deliver, and, I might say, the House of Representatives. It would take both bodies; would I not be correct?

Mr. BYRD. The Senator is correct.

Mr. WARNER. I thank the Senator and very much respect and appreciate the leadership he has given. I will work with him on this to the final vote.

Mr. BYRD. I thank my distinguished friend. I thank him for the excellent contribution he has made in this debate. I thank him for his support and cooperation with respect to the amendment we prepared a few days ago, which was voted on favorably by the Senate. I thank him for his leadership on the committee and in the Senate on this subject over the years. We have stood together shoulder to shoulder on previous occasions on this very subject matter, and I am glad to have him standing shoulder to shoulder today.

Mr. WARNER. I thank my colleague.

Mr. BYRD. Mr. President, how much time was taken in the colloquy earlier about who should go first?

The PRESIDING OFFICER. About 10 minutes.

Mr. BYRD. I wonder if we could restore that time, half to the other side and half to this side on the question. I ask unanimous consent.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BYRD. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator now has 19 minutes.

Mr. BYRD. I thank the Chair. I also thank Mr. VOINOVICH for the fine statement he made. I thank him for his courage in taking the position he has today. It isn't easy for him, but I thank him for his solid support of the position I take today. I think he is right, as I think I am right.

Mr. President, just 5 days ago, during consideration of this year's Budget Resolution, the Senate, by a vote of 65 yeas to 35 nays, expressed the Senate's opposition to either a temporary or permanent repeal of Federal gasoline taxes. In addition to myself, the original co-sponsors of the amendment were Senators WARNER, BAUCUS, VOINOVICH, LAUTENBERG and BOND. Additional cosponsors added during the debate were Senators LINCOLN, DOMENICI, BINGAMAN and ROBB. Later today, the Senate will be asked to vote again on essentially the same question, when the cloture vote is taken on S. 2285. That bill would implement a temporary repeal of a portion of the Federal tax on gasoline. To make up for the lost revenues to the Highway Trust Fund that this gas tax repeal would cause, the proponents of this bill advocate the use of revenues from the General Fund of the Treasury. The proponents do not identify a particular source of those revenues. One has to assume that the replenishment of the Highway Trust Fund will either come from the non-Social Security surplus, or from cuts in spending in other areas of the budget, such as education, or if it turns out that there is no non-Social Security surplus, then this bill could cause us to have to return to deficit spending. That would be true, particularly if the Republican tax cut package is enacted, and if the projections of the Congressional Budget Office turn out to be faulty. I, for one, cannot support any proposition such as this, which takes the ''trust'' out of the Highway Trust Fund and could mandate unidentified cuts in other Federal programs. We must not backfill the potholes this bill will leave in funding for adequate maintenance of roads and bridges with money from education, veterans programs or other vital needs.

The proponents of S. 2285 have attempted to downplay the aforementioned vote that was taken on the Budget Resolution against any repeal of Federal gasoline taxes. That amendment to the Budget Resolution, which as I have said, was adopted by a vote of 65 yeas to 35 nays, contained the following language, ''Any effort to reduce the federal gasoline tax or de-link the relationship between highway user fees and highway spending, poses a great danger to the integrity of the Highway Trust Fund, and the ability of the states to invest adequately in our transportation infrastructure.''

Yet, Mr. President, S. 2285 would in fact de-link the relationship between highway user fees and highway spending. In that respect, S. 2285 poses a great danger to the integrity of the Highway Trust Fund, and thereby, threatens to undermine the ability of the States to invest adequately in our nation's transportation infrastructure.

In I Corinthians 14:8, we are told, ''If the trumpet gives an uncertain sound, who will prepare to the battle?'' When it comes to our Federal investment in our Nation's highways, S. 2285 would give a most uncertain sound. This bill would cut revenues to the Highway Trust Fund by repealing a portion of Federal gasoline taxes. Yet, just two years ago, in landmark legislation, the Transportation Equity Act for the 21st Century, TEA–21, our State and local governments were told that we had put the ''trust'' back into the Highway Trust Fund, and that we had established an automatic mechanism to distribute all gasoline taxes to the states for their highway needs. In so doing, we committed ourselves to retaining the ''trust'' in the Highway Trust Fund forevermore. Now we come along and have a different sound coming from those who trumpet S. 2285. They want to cut Federal gasoline taxes and place in jeopardy the funding stream that we promised to the States in TEA–21. In return for these lost revenues, they would have us adopt a new promise, a promise that we will make up those lost gas tax revenues from the General Fund surpluses or from cutting funding for other vital national investments. The very reason that funding ''guarantees'' were included in TEA–21 was to eliminate the uncertainty surrounding our national highway program. We said that all highway user fees—the Federal gasoline taxes which the American people pay every time they go to the gas pump—would automatically go to the States so that our Governors, highway commissioners, and State and local officials would have a predictable funding stream to meet their critical highway funding needs.

The goal of TEA–21 was to reverse decades of disinvestment in our national highway infrastructure. The use of our national highway system continues to grow dramatically. In the 15 years, from 1983 to 1998, according to the Federal Highway Administration, the number of vehicle miles traveled on our Nation's highways, has grown from 1.65 trillion miles per year to over 2.62 trillion miles per year. However, our Nation's investment in highways has not come close to keeping pace with this increased traffic. The percent of vehicle miles traveled has been dropping almost every year since we initiated the interstate highway system during the Eisenhower Administration. They dropped steadily until 1997—the most recent year for which data is available.

What has this disinvestment done to the condition of our nation's roads? It has led to a national network of roadways with inadequate pavement conditions. Less then half the miles of roadway in rural America are considered to be in good or very good condition. Of the road miles in rural America, 56.5 percent are in fair to poor condition. Conditions are even worse in urban America, where 64.6 percent of road miles are considered to be in some level of disrepair, and only 35.4 percent of urban roadways are considered to be in good or very good condition. The situation is no better when we turn our attention to the nation's highway bridges. According to the most recent data from the Federal Highway Administration, 28.8 percent of our nation's bridges are either functionally obsolete or structurally deficient. In urban America, 32.5 percent of the bridges are either functionally obsolete or structurally deficient. We are talking about a basic issue of safety here. It is an issue that cannot be ignored in the name of short-term, feel-good tax cut proposals.

Total highway spending by all levels of Government currently equals $41.8 billion annually. However, if we wanted to spend a sufficient sum to simply maintain the current inadequate condition of our national highways and bridges, we would need to spend $9 billion more per year, or $50.8 billion. In order to maintain the current average trip time between destinations, we would have to spend $26.1 billion more per year, or a total of $67.9 billion annually on our Nation's highways. Put another way, Mr. President, as a Nation, we would have to increase highway spending by more than 62 percent each year, simply to prevent traffic congestion from getting any worse. Yet, S. 2285 would place even the present levels of highway spending in jeopardy.

Highway congestion is worsening each and every year in cities, as well as rural communities across America. In the last 15 years, use by motorists of our highways on a per lane basis increased by more than 46 percent. This increased use has led to record levels of congestion. That congestion and the time that motorists spend in traffic jams is a continual and ever-growing drag on our national economy. Whether it's commuters stuck in traffic jams going to or from their jobs, or trucks that are delayed in delivering their products to their destinations, the costs to the nation are tremendous, and growing. In 1982, it was estimated that congestion cost our economy $21.6 billion. Between 1982 and 1997, that figure increased over 234 percent to $72.2 billion per year. That is $72 billion in wasted fuel, wasted time, and lost prosperity, not to mention the untold pollution that is caused by daily traffic congestion, particularly in our Nation's largest cities.

It is for these reasons, Mr. President, that I urge my colleagues to again reject this effort to temporarily repeal Federal gasoline taxes. Gasoline prices are too high, even though we have recently seen a decline in prices at the pump. However, there is no assurance whatsoever, that reduced Federal gasoline taxes, if enacted, would result in reduced gasoline prices at the gas pump. I find that proposition highly doubtful. In any case, I believe that the enactment of S. 2285 would cause grave danger both to the integrity to the Highway Trust Fund and to our ability to meet these huge and ever-growing highway needs.

I urge my colleagues to keep the commitments we made in TEA–21 and vote against cloture on S. 2285.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has eight minutes.

Mr. BYRD. I yield that to Senator BAUCUS.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I rise to oppose the Lott bill to repeal the gasoline tax that funds our nation's highway program.

I do so for two reasons. First, the bill would undermine the landmark 1998 highway bill, which is so important to economic development in Montana and throughout the country. Second, the bill will not reduce the price of gas at the pump.

It is, in short, a bad idea. I urge that it be rejected by a strong, bipartisan, vote.

By way of background, the gas tax was established for one simple reason: to finance the construction of the national highway system.

In 1993, there was a departure. The tax was increased, by 4.3 cents a gallon. And, for the first time, the tax was used not for the highway program, but instead for deficit reduction.

I supported the increase, reluctantly, as part of an overall compromise that was a key step toward balancing the budget.

Even so, many of us were determined to restore the principle that the gas tax should only be used to fund our highway and related transportation programs. We worked, as we said, to ''put the trust back in the trust fund.''

It was a long, difficult fight. We faced tough opposition, from the administration, the budget committees, and elsewhere. But, in the end, we prevailed. During the Senate's consideration of the 1998 highway bill, we provided that the entire gas tax, including the 4.3 cents, would go into the trust fund and be used exclusively for highway construction and other transportation needs. When an amendment was offered to repeal the 4.3 cent tax, it was defeated.

Don't get me wrong. Nobody likes taxes. But the tax goes directly to improve the roads. As these things go, the gas tax has worked well.

The Lott amendment would turn back the clock. It would repeal the 4.3 cent tax.

Let me explain what this would mean for our nation's highway program.

It puts $20 billion worth of the highway trust fund in jeopardy.

I'll get right to the point. Most of my colleagues were here for the highway bill debate. You know how difficult it was. You know how hard we fought to make sure that each of our states would get enough funding to support our transportation needs.

For my state of Montana, it would mean losing $184 million.

That, in turn, will mean delays and cancellations. Roads won't be repaired. Interchanges won't be built. Safety improvements will be left on the drawing board.

In Montana, The DOT estimates that upwards of 60 projects would be delayed or canceled. Projects that would increase mobility and save lives.

That's not all. If this bill passes, Mr. President, we will be breaking faith. We will be breaking faith with governors. With state transportation agencies. With contractors. And with thousands of hard-working folks who show up every day, in good weather and bad, to build our roads and improve our communities. Who depend on their jobs to support themselves and their families.

Senator LOTT and others argue that the bill won't affect the highway program, because any reductions in highway funding would, in effect, be covered by transfers from other programs.

In other words, the bill would shift the burden somewhere else. But we all know that there aren't any easy alternatives. There are no easy cuts. So we should not assume that these ''alternative'' cuts will occur. We have to assume that the cuts will come right out of the highway program. And that, again, would be devastating.

To what end? the proponents of the Lott bill say that, if we cut the tax, it will reduce the price of gas at the pump.

Certainly, there is reason to be concerned about the price of gas at the pump. I represent Montana. The Big Sky State. We drive long distances. We're sensitive to the price of gas at the pump, which has risen from $1.18 gallon a year ago to $1.59 a gallon now. We need to get the price down, as soon as we can.

But there is no reason to believe that a reduction in the federal gas tax will result in lower prices at the pump. After all, this is a market ruled by a cartel. Until we break the stranglehold of that cartel, we'll be limited. We can cut the gas tax. But we can't guarantee that the price at the pump will be reduced by the same amount. Instead, the difference may well offset by price increases, by either the OPEC producers or by the refiners, marketers, and other middlemen.

Pulling this all together, the Lott amendment will undermine our highway programs without enhancing our energy independence.

There's one final point.

For the past few years, Congress has been criticized for putting partisan politics ahead of the public interest. In short, of not getting much done.

There have been some notable exceptions. Balancing the budget. Reforming the welfare system.

And, yes, reaching a bipartisan compromise on the 1998 highway bill, TEA–21. The bill did not just reauthorize the highway program. It renewed and revitalized the highway program. We passed it overwhelmingly, by a vote of 88–5. It was a great accomplishment.

We can confirm that accomplishment today, by rejecting the Lott bill.

Mrs. HUTCHISON. Mr. President I yield up to 10 minutes to my colleague from Maine, Senator COLLINS.

The PRESIDING OFFICER. The Senator from Maine.

(The remarks of Ms. COLLINS and Mrs. HUTCHISON pertaining to the submission of S. Res. 285 are printed in today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

ENERGY POLICY

Mrs. HUTCHISON. Mr. President, I have been listening to the debate on the repeal of the 4.3-cent-a-gallon gasoline tax. I think perhaps there is a misunderstanding of what this resolution does. I will reiterate it.

The bill which Senator LOTT has introduced, along with Senator MURKOWSKI and myself, gives a Federal fuels tax holiday that would suspend through the end of this year the 4.3-cent-per-gallon gas tax that was put on about 3 or 4 years ago. If the average gasoline price in our country reaches $2 a gallon, it would suspend for the rest of this year the entire 18.4-cent-per-gallon Federal excise tax on gasoline. The bill specifically holds harmless all of the trust funds. Social Security, and the highway trust funds would not be affected. So we would make up any lost revenue from other sources, not the highway trust fund.

I do not think the highway contractors should be alarmed. The highway contracts are going to go out just as they have been. We are now 2 years ahead in contracting. There will be no suspension of the contracting under the highway trust fund. I think our highways are a first priority, and I do not think the highway contractors should be concerned in any way that that is going to lessen to any degree.

It is very clear what this does. It says to the traveling public, it says to the family trying to take a vacation, it says to the truckers who are depending on a gasoline price that is stable, so they know what that price is going to be, approximately, when they make their contracts to haul goods back and forth in our country, we are going to have a suspension of up to 18 cents a gallon until prices come down to a level that is reasonable and that could have been anticipated when a contract was made. Airline passengers are paying $75 one way on most trips across this country because of this gasoline price increase.

We need to respond to something so basic to so many people, and that is the transportation costs—for people to take a family vacation, to drive to and from work, or for their very livelihoods, if they are truckers. We are going to respond to this crisis.

I have heard people from foreign countries say: I do not know what you Americans are complaining about; we pay $4 a gallon in Europe—in Brussels, in London. That is not the price on which our economy is based. We travel greater distances. We have an economy that is based on gasoline prices in the $1- to $1.40-a-gallon category. That is an important part of the cost of doing business in our country.

Furthermore, we do have the ability to control our own destiny. We do have the ability to drill and explore in our country. Many private businesses, small businesses, want very much to do that. They want to be able to drill a well as small as one producing only 15 barrels a day.

To put that in perspective, a 15-barrel-a-day well is a very small well. The average well in Alaska produces 650 barrels a day. In the Gulf of Mexico, it could be 10,000 barrels a day. We are talking 15 barrels a day. Our small businesses can continue to do business and make a modest profit on a 15-barrel-a-day well, but they have to know the price is going to be somewhat stable. When oil prices went down to $9, $10 a barrel, 2 years ago, these little guys could not make it. These little producers are small businesses, and they could not break even on $9 or $10 a barrel.

What I would like to propose is that we pass the bill before us today to give instant relief to the consumers and business people in our country, but that we look at the longer term issue as well, and that is, what can we do to encourage our small businesses to be able to stay in business, drilling wells that produce 15 barrels a day or less? If they will stay in business, they will produce the same amount we import from OPEC today. That is the important issue. We will not be at the whim of OPEC, to have huge price spikes, if we will encourage our own people to explore and drill even the small wells.

There is another advantage of that, and that is it keeps the jobs in America. Today we are going to foreign countries and producing because it is cheaper to do it over there in OPEC countries or in Mexico or Venezuela. It is cheap to do it there. That does not create American jobs; it creates jobs in foreign countries.

If we pass the bill before us today and say we are going to give relief immediately to the people who are driving to work, the people who depend on a stable price as they drive their trucks carrying goods back and forth across the country, I am saying let's look at the long term, too. Let's look at the stable price that is necessary for them to enter into contracts that will keep them in business. Let's do it by encouraging our small producers to take the risk to go out and drill either a dry hole or one that would produce up to 15 barrels a day, by giving them a tax credit if the price goes below $17 a barrel, so they can stay in business, much as we do for farmers when the prices they can get on the open market do not allow them to break even.

We want the farmers to stay in business so they will be able to continue to provide food for our country and for export. Why not do that for a small producer? If that well produces 16 or more barrels a day, no tax credits, because the margin, then, is much higher and they will be able to break even in the low-price times.

I am saying let's give immediate relief and let's look at the long term, let's do something that will be a win-win for our country, something that will provide more price stability so we will not have the price spikes we are seeing now. We do that by stopping our 56-percent dependence on foreign imports for the fuel we require every day in this country. Let's do it by creating more American jobs for small businesses, and let's keep those jobs in America so we will be more self-sufficient and more in control of our own destiny.

I hope my colleagues will pass the bill that is before us today, give the instant relief, and say we are going to protect the highway fund absolutely, so the contracts can continue to be let and our highways will continue to be built and improved and maintained.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from Florida.

Mr. GRAHAM. Mr. President, I ask unanimous consent for up to 10 minutes for purposes of introduction of legislation.

The PRESIDING OFFICER. Is there an objection?

There is 20 minutes remaining on the time of the Senator from Texas. That will be 10 minutes on your time that will run well into the policy luncheon.

Mrs. HUTCHISON. Mr. President, I do not object to the Senator from Florida going forward because the speakers on my side have not arrived. If, after he has finished his 10-minute presentation, we do not have our speakers, then I will yield the remainder of our time. If we do, I will continue to pursue our debate.

The PRESIDING OFFICER. The Presiding Officer is considering objecting because of the policy conference during this period.

Mrs. HUTCHISON. Mr. President, the Senator from Florida has a unanimous consent agreement that would allow him to introduce his bill. Let's go forward, and if there is someone on our side, I will be happy to relieve the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Florida.

Mr. GRAHAM. In deference to the Presiding Officer, if a situation arises in which he feels my remarks should be terminated or restrained, if he will so indicate, I will be pleased to defer to his wishes.

The PRESIDING OFFICER. The Senator from Florida has been recognized for up to 10 minutes.

Mr. GRAHAM. I thank the Chair.

(The remarks of Mr. GRAHAM pertaining to the introduction of S. 2383 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, at this time the other speakers on our side have not arrived. I will yield back